

ACTUAL PERFORMANCE FOR OUTPUT/EFFICIENCY MEASURES

448 - Office of Injured Employee Counsel

Fiscal Year 2013

10/9/2013

Agency: 448 Office of Injured Employee Counsel

Type/Strategy/Measure	2013 Target	2013 Actual	2013 YTD	Percent of Annual Target	
Output Measures					
<u>1-1-1 OMBUDSMAN PROGRAM</u>					
2 # OF BRC W/ OMBUDSMAN ASSISTANCE					
Quarter 1	3,515.00	2,050.00	2,050.00	58.32 % *	703.00 - 1,054.50
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel exceeded this measure's target for the first quarter of FY 2013 because the number of Benefit Review Conferences (BRC) with Ombudsman assistance was higher than anticipated. The number of BRCs with Ombudsman assistance increased 23 percent compared to the same time period last year. In the first quarter of FY 2013 there were 2,050 BRCs held with Ombudsman assistance and in the first quarter of FY 2012 there were only 1,648.					
Quarter 2	3,515.00	1,733.00	3,783.00	107.62 % *	1,581.75 - 1,933.25
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel exceeded this measure's target during the second quarter of FY 2013 because the number of Benefit Review Conferences (BRC) with Ombudsman assistance continues to be higher than anticipated. The number of BRCs with Ombudsman assistance increased ten percent during the first six months of FY 2013 compared to the same time period last year. In the first six months of FY 2013 there were 3,783 BRCs held with Ombudsman assistance and in the first six months of FY 2012 there were only 3,427.					
Quarter 3	3,515.00	1,861.00	5,644.00	160.57 % *	2,460.50 - 2,812.00
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel exceeded this measure's target through the third quarter of FY 2013 because the number of Benefit Review Conferences (BRC) with Ombudsman assistance continues to be higher than anticipated. The number of BRCs with Ombudsman assistance increased almost five percent during the first nine months of FY 2013 compared to the same time period last year. In the first nine months of FY 2013 there were 5,644 BRCs held with Ombudsman assistance and in the first nine months of FY 2012 there were only 5,397.					
Quarter 4	3,515.00	1,772.00	7,416.00	210.98 % *	3,339.25 - 3,690.75
<u>Explanation of Variance:</u> OIEC exceeded this measure's target in FY 2013 due to the substantial increase in the need for Ombudsman assistance, which continues to be significantly higher than anticipated. The number of BRCs with Ombudsman assistance has increased 87 percent since FY 2010 when the target was developed. There were 3,956 BRCs held with Ombudsman assistance in FY 2010, 4,915 in FY 2011, 7,226 in FY 2012 and the number increased to 7,416 in FY 2013. OIEC believes the increase in the need for Ombudsman assistance is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program.					

* Varies by 5% or more from target.

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Type/Strategy/Measure	2013 Target	2013 Actual	2013 YTD	Percent of Annual Target	
Output Measures					
4 # OF CCH W/ OMBUDSMAN ASSISTANCE					
Quarter 1	1,791.00	904.00	904.00	50.47 % *	358.20 - 537.30
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel exceeded this measure's target for the first quarter of FY 2013 because the number of Contested Case Hearings (CCH) with Ombudsman assistance was higher than anticipated. The number of CCHs with Ombudsman assistance has increased 49 percent compared to the same time period last year. In the first quarter of FY 2013 there were 904 CCHs held with Ombudsman assistance and in the first quarter of FY 2012 there were only 608.					
Quarter 2	1,791.00	798.00	1,702.00	95.03 % *	805.95 - 985.05
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel exceeded this measure's target during the second quarter of FY 2013 because the number of Contested Case Hearings (CCH) with Ombudsman assistance continues to be higher than anticipated. The number of CCHs with Ombudsman assistance increased 30 percent compared to the same time period last year. In the first six months of FY 2013 there were 1,702 CCHs held with Ombudsman assistance and during the first six months of FY 2012 there were only 1,311.					
Quarter 3	1,791.00	798.00	2,500.00	139.59 % *	1,253.70 - 1,432.80
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel exceeded this measure's target through the third quarter of FY 2013 because the number of Contested Case Hearings (CCH) with Ombudsman assistance continues to be higher than anticipated. The number of CCHs with Ombudsman assistance increased 18 percent compared to the same time period last year. In the first nine months of FY 2013 there were 2,500 CCHs held with Ombudsman assistance and during the first nine months of FY 2012 there were only 2,113.					
Quarter 4	1,791.00	776.00	3,276.00	182.91 % *	1,701.45 - 1,880.55
<u>Explanation of Variance:</u> OIEC exceeded this measure's target in FY 2013 due to the substantial increase in the need for Ombudsman assistance, which continues to be significantly higher than anticipated. The number of CCHs with Ombudsman assistance has increased 70 percent since FY 2010 when the target was developed. In FY 2010 there were 1,925 CCHs held with Ombudsman assistance and in FY 2013 there were 3,276. OIEC believes the increase in the need for Ombudsman assistance is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program. Additionally, a substantial amount of additional evidence is required to resolve disputes in favor of injured employees; therefore, more disputed issues are continuing through the administrative dispute resolution system.					

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Type/Strategy/Measure	2013 Target	2013 Actual	2013 YTD	Percent of Annual Target	
Output Measures					
5 # OF OMBUDSMAN APPEAL PREPS					
Quarter 1	522.00	340.00	340.00	65.13 % *	104.40 - 156.60
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel exceeded this measure's target because more injured employees were prepared for an appeal than anticipated during the first quarter of FY 2013 which is a positive result. The number of injured employees that have attended preparation appointments has increased 60 percent compared to the same time period last year. In the first quarter of FY 2013, 340 injured employees were prepared for an appeal by an Ombudsman and in the first quarter of FY 2012 there were only 214.					
Quarter 2	522.00	300.00	640.00	122.61 % *	234.90 - 287.10
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel exceeded this measure's target because more injured employees were prepared for an appeal than anticipated during the second quarter of FY 2013, which is a positive result. The number of injured employees that have attended preparation appointments has increased 39 percent compared to the same time period last year. In the first six months of FY 2013, 640 injured employees were prepared for an appeal by an Ombudsman and in the first six months of FY 2012 there were only 461.					
Quarter 3	522.00	307.00	947.00	181.42 % *	365.40 - 417.60
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel exceeded this measure's target because more injured employees were prepared for an appeal than anticipated through the third quarter of FY 2013. The number of injured employees that have attended preparation appointments has increased 28 percent compared to the same time period last year. In the first nine months of FY 2013, 947 injured employees were prepared for an appeal by an Ombudsman and in the first nine months of FY 2012 there were only 737.					
Quarter 4	522.00	310.00	1,257.00	240.80 % *	495.90 - 548.10
<u>Explanation of Variance:</u> OIEC exceeded this measure's target because more injured employees were prepared for an appeal than anticipated during FY 2013. The number of injured employees that have attended preparation appointments has increased 118 percent since FY 2010 when the target was developed. In FY 2010, 577 injured employees were prepared for an appeal by an Ombudsman and in FY 2013 there were 1,257 perepared. OIEC believes the increase in the need for Ombudsman assistance is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program. Additionally, a substantial amount of additional evidence is required to resolve disputes in favor of injured employees; therefore, more disputed issues are continuing through the administrative dispute resolution system.					

2-1-1 RIGHTS RESPONSIBILITIES & REFERRAL

* Varies by 5% or more from target.

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Type/Strategy/Measure	2013 Target	2013 Actual	2013 YTD	Percent of Annual Target	
Output Measures					
1 # INJURED EMPLOYEES REACHED					
Quarter 1	185,000.00	44,069.00	44,069.00	23.82 %	37,000.00 - 55,500.00
Quarter 2	185,000.00	39,211.00	83,280.00	45.02 %	83,250.00 - 101,750.00
Quarter 3	185,000.00	44,477.00	127,757.00	69.06 % *	129,500.00 - 148,000.00
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel did not meet this measure's target because the workers' compensation system is experiencing fewer injuries than anticipated in FY 2013.					
Quarter 4	185,000.00	45,974.00	173,731.00	93.91 % *	175,750.00 - 194,250.00
<u>Explanation of Variance:</u> OIEC did not meet this measure's target because the workers' compensation system experienced fewer injuries than anticipated in FY 2013. The number of injured employees that were reached regarding their rights and responsibilities in FY 2013 decreased 5 percent compared to FY 2012. In FY 2013, 173,731 injured employees were reached and in FY 2012 182,794 were reached.					
<u>3-1-1 ADVOCATE FOR INJURED EMPLOYEES</u>					

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Actual Performance for Output/Efficiency Measures
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

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Agency: 448 Office of Injured Employee Counsel

Type/Strategy/Measure	2013 Target	2013 Actual	2013 YTD	Percent of Annual Target	
Output Measures					
1 NUMBER OF ADOPTED RULES ANALYZED					
Quarter 1	9.00	1.00	1.00	11.11 % *	1.80 - 2.70
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance and Division of Workers' Compensation rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code Sections 404.101 and 404.104. OIEC did not meet this measure's target in the first quarter because fewer rules were adopted than anticipated.					
Quarter 2	9.00	2.00	3.00	33.33 % *	4.05 - 4.95
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance and Division of Workers' Compensation rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code Sections 404.101 and 404.104. OIEC did not meet this measure's target in the second quarter because fewer rules were adopted than anticipated.					
Quarter 3	9.00	1.00	4.00	44.44 % *	6.30 - 7.20
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance and Division of Workers' Compensation rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code Sections 404.101 and 404.104. OIEC did not meet this measure's target in the third quarter because fewer rules were adopted than anticipated.					
Quarter 4	9.00	2.00	6.00	66.67 % *	8.55 - 9.45
<u>Explanation of Variance:</u> OIEC analyzes and actively participates in both the Texas Department of Insurance and Division of Workers' Compensation rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code Sections 404.101 and 404.104. OIEC did not meet this measure's target in FY 2013 because fewer rules were adopted than anticipated.					

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Output Measures					
2 # ADOPTED RULES W/PARTICIPATION					
Quarter 1	9.00	1.00	1.00	11.11 % *	1.80 - 2.70
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance and Division of Workers' Compensation rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code Sections 404.101 and 404.104. OIEC did not meet this measure's target in the first quarter because fewer rules were adopted than anticipated.					
Quarter 2	9.00	1.00	2.00	22.22 % *	4.05 - 4.95
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance and Division of Workers' Compensation rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code Sections 404.101 and 404.104. OIEC did not meet this measure's target in the second quarter because fewer rules were adopted than anticipated.					
Quarter 3	9.00	0.00	2.00	22.22 % *	6.30 - 7.20
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance and Division of Workers' Compensation rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code Sections 404.101 and 404.104. OIEC did not meet this measure's target in the third quarter because fewer rules were adopted than anticipated.					
Quarter 4	9.00	2.00	4.00	44.44 % *	8.55 - 9.45
<u>Explanation of Variance:</u> OIEC analyzes and actively participates in both the Texas Department of Insurance and Division of Workers' Compensation rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code Sections 404.101 and 404.104. OIEC did not meet this measure's target in FY 2013 because fewer rules were adopted than anticipated.					

Efficiency Measures

2-1-1 RIGHTS RESPONSIBILITIES & REFERRAL

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Actual Performance for Output/Efficiency Measures
 82nd Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

10/9/2013 2:03:27PM

Agency: 448 Office of Injured Employee Counsel

Type/Strategy/Measure	2013 Target	2013 Actual	2013 YTD	Percent of Annual Target	
Efficiency Measures					
1 AVG DAYS FOR INJURED EMP CONTACT					
Quarter 1	18.00	23.43	23.43	130.17 % *	17.10 - 18.90
	<u>Explanation of Variance:</u> The performance for this measure exceeded the target during the first six months of FY 2013, which is a positive result. The target was exceeded due to the timely electronic distribution of the Notice of Injured Employee Rights and Responsibilities in the Workers' Compensation System.				
Quarter 2	18.00	21.27	22.38	124.33 % *	17.10 - 18.90
	<u>Explanation of Variance:</u> The performance for this measure exceeded the target during the first six months of FY 2013, which is a positive result. The target was exceeded due to the timely electronic distribution of the Notice of Injured Employee Rights and Responsibilities in the Workers' Compensation System.				
Quarter 3	18.00	16.74	20.43	113.50 % *	17.10 - 18.90
	<u>Explanation of Variance:</u> The performance for this measure did not meet the target during the first nine months of FY 2013. The target was exceeded due to the timely electronic distribution of the Notice of Injured Employee Rights and Responsibilities in the Workers' Compensation System.				
Quarter 4	18.00	12.00	18.64	103.56 %	17.10 - 18.90

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